

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 718 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

BHAIRUSINGH N GUJJAR

Versus

D.G.P

Appearance:

MR JR NANAVATI for Petitioner

MR LR PUJARI for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 19/03/98

ORAL JUDGMENT

Heard the learned counsel for the parties.

2. This petition has been filed by the petitioner, a Police Sub Inspector of the Police Department of the State of Gujarat and prayer has been made that the respondents be directed to order the Departmental Promotion Committee to consider his case for promotion from the post of Police Sub Inspector to the post of

Police Inspector both in general quota as well as reserved quota in accordance with the policy of the State Government.

3. The grievance of the petitioner is that his case for promotion to the post of Police Inspector has not been considered by the Departmental Promotion Committee. Reply to the Special Civil Application has been filed by respondents and therefrom I find that the petitioner's case for promotion has been considered by the Departmental Promotion Committee but looking to his adverse service record, he was not found suitable for promotion. The petitioner has only right of consideration for promotion which right he has not been denied. In case the petitioner was not adjudged suitable for promotion by the Departmental Promotion Committee for the reason of his adverse service record, the petitioner's claim for promotion cannot be accepted. The directions as prayed for by the petitioner, in view of this fact, cannot be given by this Court to the respondents. No other point has been argued by the learned counsel for the petitioner.

4. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court, stands vacated. No order as to costs.

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(sunil)